

MAR 23 2005

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Greg B. Hale Examiner: Christopher R. Nalevanko  
Serial No.: 10/692,513 Group Art Unit: 2611  
Filed: October 24, 2003 Docket No.: 54317-022501  
Title: STREAMING OF DIGITAL DATA TO A PORTABLE DEVICE  
Customer No.: 46560

## CERTIFICATE UNDER 37 CFR 1.4(d)

I hereby certify that this correspondence and identified enclosures are being transmitted via facsimile only to Examiner Christopher R. Nalevanko, Art Unit 2611 Facsimile No. (703) 872-9306, on March 23, 2005.

  
Name: Kelly SimpsonAMENDMENT AND RESPONSE TO  
RESTRICTION/ELECTION REQUIREMENT

MAIL STOP: AMENDMENT  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action of September 23, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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Serial No. 10/692,513

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Claims 22, 46, 47, 48 are not anticipated by Wall. Claims 23-45 depend from Claim 22. Accordingly, Claims 22-48 are not anticipated by Wall.

#### *New Claims*

Claims 22-48 are new claims that simply further define the invention. Additionally, all of the elements of Claims 22-48 are well supported in the original as-filed application and do not present new matter. As discussed above, Claims 22-48 are not taught in the prior art.

#### *Conclusion*

Applicants have complied with all requirements made in the above referenced communication. Accordingly, applicants respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number 50-2638. Please ensure that Attorney Docket Number 54317-022501 is referred to when charging any payments or credits for this case.

Respectfully submitted,

Date: March 23, 2005

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